

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHRISTIAN FENICO, THOMAS
YOUNG, THOMAS GACK, EDWARD
MCCAMMITT, TANYA GRANDIZO,
ANTHONY ANZIDEO, ANTHONY
ACQUAVIVA, KRISTINE AMATO,
JOSEPH PRZEPIORKA, WILLIAM
BOWDREN, RAPHAEL MCGOUGH, and
FRANCIS T. SHERIDAN,
Plaintiffs,**

v.

**CITY OF PHILADELPHIA,
Defendant.**

CIVIL ACTION

NO. 20CV3336

**MICHAEL MELVIN, DANIEL
FARRELLY, BRION MILLIGAN, MARK
PALMA, ROBERT BANNAN, JESUS
CRUZ, STEVEN HARTZELL, and
JOSEPH FOX,
Plaintiffs,**

v.

**CITY OF PHILADELPHIA,
Defendant.**

CIVIL ACTION

NO. 21CV3209

SECOND AMENDED SCHEDULING ORDER

AND NOW, this 9th day of October, 2024, upon consideration of the Parties' Joint Motions for Clarification of Schedule (20CV3336 at ECF 91; 21CV3209 at ECF 89), **IT IS ORDERED** that the Motions are **GRANTED** and the schedule is modified as follows:

These cases are **SPECIALLY-LISTED** for trial to commence at **9:00 AM on Monday, November 4, 2024** in Courtroom 10A. All attorneys of record are attached for the Final Pretrial Conference and Trial.¹

¹ The case will be tried to a jury. The estimated trial time is 10-14 days.

1. All parties shall prepare and file with the Clerk of Court their Pretrial Memoranda and provide one courtesy copy to the Court (Chambers, Room 10614) when the original is filed.
 - a. Plaintiffs – on or before **October 21, 2024**.
 - b. Defendant – on or before **October 28, 2024**.
2. Each party's pretrial memorandum shall include:
 - a. A brief, concise summary of the nature of the case and the parties' contentions;
 - b. All stipulations of counsel and an itemized list of any admissions;
 - c. A list of each witness to be presented with a statement of the nature of their expected testimony. Witnesses not listed may not be called by that party in its case-in-chief;
 - d. The identity of, and a curriculum vitae for, each expert witness to be called at trial with a concise statement of each opinion to be offered by the expert;
 - e. Designation of and objection to deposition testimony including videotape testimony;
 - f. A list of all exhibits pre-numbered and pre-exchanged among all counsel, including those exhibits whose introduction into evidence is objected to and the reasons for the objections;
 - g. Claimant's itemization of damages or other relief sought. If relief other than monetary damages is sought, information adequate for framing an order granting the relief sought;
 - h. A statement of any anticipated legal issues on which the Court will be required to rule; and

- i. In all jury cases, proposed points for charge on the substantive claims, proposed verdict forms or special interrogatories to the jury. In all non-jury cases, proposed findings of facts and conclusions of law. Counsel may file supplemental points, findings or conclusions upon close of testimony.

3. If any party desires an “offer of proof” as to any witness or exhibit expected to be offered, that party shall inquire of counsel prior to trial for such information. If the inquiring party is dissatisfied with any offer provided, such party shall file a motion seeking relief from the Court no less than ten (10) days prior to trial. Responses must be filed no less than five (5) days before trial.

4. Motions *in limine* must be filed no less than ten (10) days before trial. Responses must be filed no less than five (5) days before trial.

5. At least three (3) days before trial, the parties shall submit to the Court (Chambers, Room 10614) a joint written statement of the case for reading to the jury at the commencement of the trial.

6. At least three (3) days before trial, all Pre-Trial submissions referred to in this Order (excluding Motions and Responses/Replies) shall be e-mailed to Chambers in MS Word Format to [Chambers of Judge Beetlestone@paed.uscourts.gov](mailto:Chambers_of_Judge_Beetlestone@paed.uscourts.gov) .

7. A Final Pretrial Conference will be held on **Wednesday, October 30 at 2:00 PM** in Chambers (Room 10614).

8. Prior to the Final Pretrial Conference, counsel shall confer on proposed voir dire questions and provide an agreed-upon set of questions to the Court at the Final Pretrial Conference. Counsel may also submit questions on which they have been unable to reach agreement.

9. At the close of business the day before trial, the parties shall supply the Court with a set of exhibits in a binder or binders in the manner set forth in Judge Beetlestone's Policies and Procedures.

10. For all filings submitted and conferences held pursuant to this scheduling order, and for all pretrial and trial proceedings referred to herein, counsel shall follow Judge Beetlestone's Policies and Procedures, a copy of which can be found online at www.paed.uscourts.gov.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.